

Notice of Allowability

Application No.

10/630,487

Examiner

CongVan Tran

Applicant(s)

HYMEL, JAMES A.

Art Unit

2688

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to communication 12/09/05.
2. ☒ The allowed claim(s) is/are 1-2, 6-12 have been renumbered to 1-9 respectively.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☐ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

CONGVAN TRAN
PRIMARY EXAMINER

CongVan Tran
Primary Examiner
Art Unit: 2688

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Mr. Daniel C Crilly on Dec. 09, 2005.

The application has been amended as follows:

Claim 1 (currently amended): A method for intelligent communication management within a communication device comprising the steps of:

storing a communication preference identifying one or more communication means for sequentially initiating communication with the contact, wherein the communication preference comprises a communication preference chosen from a group consisting of a fixed communication order, a pattern communication order, a time based communication order, and a calendar based communication order;

initiating communication with a contact using a first communication means via a first communication connection;

detecting that the first communication connection is disconnected;

identifying a second communication means associated with the contact, wherein the second communication means is identified by the communication preference; [[and]]

initiating communication with the contact via a second communication connection to the second communication means.

Claim 2 (previously presented): A method as recited in claim 1, wherein the detecting step comprises:

determining that the first communication connection is not established.

Claims 3-5 (cancelled)

Claim 6 (currently amended): A method as recited in claim 1 [[3]] further comprising the steps of:

retrieving a historical communication pattern for the contact;

setting the communication preference for the contact using the historical communication pattern.

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Claim 7 (currently amended): A method as recited in claim 1 [[3]] further comprising the steps of:

- storing one or more communication preference orders each associated with a timeframe;

- determining a current time;

- matching the current time with one of the timeframes; and

- setting the communication preference to the communication preference order associated with the matched timeframe.

Claim 8 (currently amended): A method as recited in claim 1 [[3]] further comprising the steps of:

- storing one or more calendar events each associated with a time frame, wherein each calendar event has an associated communication preference order;

- determining a current time;

- matching the current time with one of the timeframes; and

- setting the communication preference to the communication preference order of the calendar event associated with the matched timeframe.

Claim 9 (original): A method as recited in claim 1 further comprising the steps of:

- storing one or more communication means for the contact;

- displaying the stored one or more communication means; and

- selecting the second communication means from the displayed one or more communication means prior to the initiating the second communication step.

Claim 10 (original): A method as recited in claim 1 further comprising the steps of:

- displaying the second communication means; and

- selecting the second communication means prior to the initiating the second communication connection step.

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Claim 11 (previously presented): A communication device having intelligent communication management, the communication device comprising:

- a transceiver for communicating with a contact using a first communication means via a first communication connection;

- a processor coupled to the transceiver for processing signals received from the transceiver and sending commands to the transceiver for communicating with one or more communication means including the first communication means and a second communication means;

- a memory coupled to the processor for storing one or more contacts each having one or more associated communication means, the memory storing the contact associated with the first communication means and the second communication means; and

- a communications manager application coupled to the processor and to the memory, wherein the communications manager application is adapted to:

- detect that the first communication connection with the contact is disconnected;

- identify the second communication means associated with the contact; and

- cause the processor to initiate a second communication connection to the second communication means.

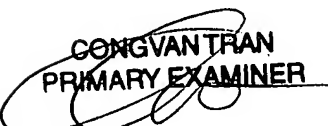
Claim 12 (original): A communication device having intelligent communication management as recited in claim 11 wherein the memory further stores one or more communication preferences identifying the sequential order of the communication means for initiating communication with the contact, wherein the second communication means is identified by the communication preference.

2. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CongVan Tran whose telephone number is 571-272-7871. The examiner can normally be reached on Monday-Thursday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


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Dec. 07, 2005